

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

SEP 17 1998

IN THE MATTER OF:

DOCKET NO: 98-00332

COUNSEL: None

HEARING DESIRED: No

[REDACTED]

Applicant requests that his "2Q" reenlistment eligibility (RE) be upgraded to allow enlistment. Applicant's submission is at Exhibit A.

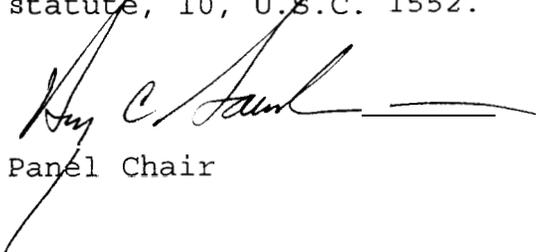
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. Henry C. Saunders, Mr. Joseph G. Diamond, and Ms. Peggy E. Gordon considered this application on 3 September 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.

  
Panel Chair

Exhibits

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion

3 June 1998  
98-00332

MEMORANDUM FOR AFBCMR

FROM: BCMR Medical Consultant  
1535 Command Drive, EE Wing, 3rd Floor  
Andrews AFB MD 20762-7002

SUBJECT: Application for Correction of Military Records

**REQUESTED ACTION:** The applicant was separated from the Air Force with 10% disability and severance pay on 16 October 1995 after serving 2 years, 6 months, and 18 days on active duty. He received a 2Q reentry code secondary to his disability separation and applies now to have this changed to one that would allow him to reenter the military.

**FACTS:** The applicant was permitted to join the Air Force with a finding of pes planus (flat feet) on his enlistment physical examination performed on 18 November 1992. After completing basic training and tech school, the applicant was serving at his first duty assignment when, in January 1994, he injured his right foot stepping off a truck. From this point on he was seen frequently with complaints of pain in the foot which eventually led to his meeting a Medical Evaluation Board on 11 April 1995 with referral to the Physical Evaluation Board (PEB). On 10 May 1995 the Informal PEB recommended separation with severance pay and 10% disability for chronic sesamoiditis (inflammation of a bone in the foot) with his underlying, and existing prior to service, condition of flat feet being the significant problem aggravating the condition. This recommendation was upheld through the Formal PEB appearance with finalization of the decision coming from the Air Force Personnel Council on 3 August 1995. In his request for correction of records the applicant says that the condition for which he was discharged no longer exists, thereby justifying the request as submitted.

**DISCUSSION:** The trivial trauma suffered by the applicant in stepping off the vehicle in January 1994 was not felt to be significant in the continuing problem he experienced with a painful foot. Rather, the opinion of medical authorities was that his developmental defect of flat feet was the real culprit in his continuing difficulties. Regardless of his having had only minor foot pains secondary to the foot defect, the worsening problems experienced during 1994 rendered the applicant unfit for continued military service, and he was appropriately evaluated and handled in the disability evaluation system. His application package requesting a change in his reentry code does not address resolution of his problem. A rating evaluation by the Department of Veterans Affairs dated 20 July 1996 shows he receives benefits for continuing sesamoiditis and service-connected hypertension. The package does not contain more recent statements regarding his current condition.

Evidence of record indicates that the applicant was properly evaluated and compensated for his unfitting foot pain with aggravation by an EPTS condition of flat footedness. There is no evidence that a higher rating was indicated at the time of his disposition, and there is no evidence that his basic underlying problem has resolved. Therefore, a change of records as requested is not recommended.

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RECOMMENDATION: The BCMR Medical Consultant is of the opinion that the applicant's request for a change of his reentry code to one that would allow return to the military be denied.

// SIGNED //

FREDERICK W. HORNICK, Col., USAF, MC, FS  
Chief Medical Consultant, AFBCMR  
Medical Advisor SAF Personnel Council



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